

Exhibit A



Molly Thomas-Jensen <mthomasjensen@everytown.org>

Yanas and Tisdale

Ron J. Rodgers <ron@rodgerslawgroup.com>

Fri, Jul 31, 2020 at 12:07 PM

To: Alla Lefkowitz <alefkowitz@everytown.org>

Cc: Molly Thomas-Jensen <mthomasjensen@everytown.org>, Clint <clint@mmtriallawyers.com>

Yes, that will be fine. Thank you.

Ron J. Rodgers
Attorney at Law
Rodgers Law Group

Sent from my iPhone

On Jul 31, 2020, at 8:50 AM, Alla Lefkowitz <alefkowitz@everytown.org> wrote:

Hi Ron,

I don't think that we've had a chance to talk yet, but i'm pinch-hitting for Clint and Molly. Please let us know if your clients consent to our request for a 30 days postponement of the scheduling conference that is now scheduled for Aug. 19.

Thanks,
Alla

----- Forwarded message -----

From: **Alla Lefkowitz** <alefkowitz@everytown.org>

Date: Fri, Jul 31, 2020 at 9:42 AM

Subject: Re: Yanas and Tisdale

To: A.M. Andy Landry III <alandry@grayreed.com>

Cc: Molly Thomas-Jensen <mthomasjensen@everytown.org>, ron@rodgerslawgroup.com

<ron@rodgerslawgroup.com>, Krystan Hitchcock <khitchcock@everytown.org>, Clint

<clint@mmtriallawyers.com>, Alton Todd <alton@actlaw.com>, legal@tylkalawcenter.com

<legal@tylkalawcenter.com>, Darrell Apffel <Darrell@apffellegal.com>, D. Blake Apffel

<Blake@apffellegal.com>, Terri French <Terri@apffellegal.com>, Larry Tylka <larry@tylkalawcenter.com>,

Tyler Tylka <tyler@tylkalawcenter.com>, Heather <heather@mmtriallawyers.com>, James Vogts

<jvogts@smbtrials.com>, Kelly Leonard <kleonard@grayreed.com>, Tyler J. McGuire

<tmcguire@grayreed.com>, Anne Armstrong <aarmstrong@grayreed.com>, Andrew Lothson

<alothson@smbtrials.com>, Sherry Chandler <sherry@chandlerlawllp.com>

Dear Andy,

Molly is out of the office today so I'm pitching in. You and I are both aware that Molly called you on the morning of Monday, July 27th in order to work out a solution that worked for everyone but you requested that she write you an email -- to which you did not respond for two days. So let's please move beyond re-writing history and try to find a solution.

FRCP 26(f) requires parties to conference "at least 21 days before a scheduling conference is to be held or a scheduling order is due under Rule 16(b)." We are not comfortable simply ignoring the requirements of this rule by agreeing to meet less than 21 days in advance of the scheduled conference, and then informing the Magistrate Judge after the fact. As Molly explained in her last email, given Clint's family situation, we would like to write to the Court as soon as possible and ask for a 30 day postponement of the initial court conference (and all attendant deadlines). If you do not consent to this request, that is of course your right to do so. I would just ask you to let us know by the end of the day so that we can state your position in our letter.

If you would like to conference more than 21 days before the court conference, we are agreeable to that. I've spoken with Clint, and he will do his best to make himself available on a day that we mutually decide. Please propose some times that your side is available. Again, as Molly explained, Clint is counsel of record for 10 out of the 13 plaintiffs in the Yanas case -- and he is the sole counsel for eight of those plaintiffs -- so I believe that his participation is necessary in both the parties' conference and the court conference.

Best,
Alla

On Thu, Jul 30, 2020 at 12:41 PM A.M. "Andy" Landry III <alandry@grayreed.com> wrote:

Hi, Molly –

Thank you for reaching out again. As I said before, we're open to pushing back the Zoom conference from August 19 to a later date to accommodate Clint and his family. We should still move forward and set a date to confer over the phone to comply with Rule 26(f) and prepare a joint report. Even as currently set, the report is not due until August 12. We've now spent more time emailing back and forth than it sometimes takes to talk on the phone and prepare these reports.

We asked days in advance to meet with you and Ron Rogers on the morning of July 29. Your suggestion made for first time on the afternoon of July 29—that the parties must now continue everything related to Rule 26(f) and Magistrate Edison's order because the parties didn't end up conferring by July 29—sounds like gamesmanship. We believe everyone's time, including the Court's, would be best served by the parties first picking a date to confer on the phone. If, for good reason, that can't be accomplished before August 12, then the parties can ask Magistrate Edison to move back the August 19 Zoom conference, which would automatically reset the date for submitting the joint report. Another option would be to ask for a later date to submit the joint report that is closer to August 19. Are you saying that attorneys representing the plaintiffs in Yanas cannot meet with us at any time before August 12? Please advise. What I'm getting at is that the parties should make as much progress as possible on the Rule 26(f) tasks first, before asking Magistrate Edison to change his schedule.

Best regards –

Andy

From: Molly Thomas-Jensen <mthomasjensen@everytown.org>

Sent: Wednesday, July 29, 2020 4:06 PM

To: A.M. "Andy" Landry III <alandry@grayreed.com>

Cc: Alla Lefkowitz <alefkowitz@everytown.org>; ron@rodgerslawgroup.com; Krystan Hitchcock <khitchcock@everytown.org>; Clint <clint@mmtriallawyers.com>; Alton Todd <alton@actlaw.com>; legal@tylkalawcenter.com; Darrell Apffel <Darrell@apffellegal.com>; D. Blake Apffel <Blake@apffellegal.com>; Terri French <Terri@apffellegal.com>; Larry Tylka <larry@tylkalawcenter.com>; Tyler Tylka <tyler@tylkalawcenter.com>; Heather <heather@mmtriallawyers.com>; James Vogts <jvogts@smbtrials.com>; Kelly Leonard <kleonard@grayreed.com>; Tyler J. McGuire <tmcguire@grayreed.com>; Anne Armstrong

<aarmstrong@grayreed.com>; Andrew Lothson <alothson@smbtrials.com>; Sherry Chandler <sherry@chandlerlawllp.com>

Subject: Re: Yanas and Tisdale

Dear Andy,

Thank you for your email. As you no doubt appreciate, FRCP 26(f) requires us to meet-and-confer at least 21 days before the scheduling conference. Given that that date is today, we think we need to seek the leave of the court to push the deadlines back. I have checked with Clint, and unfortunately his wife (who has an underlying health condition) is still quite sick. Clint represents 10 of the 13 plaintiffs in Yanas, so we do think that his participation is essential. As for negotiating the Tisdale case management order separately, we do not see any advantage to any of the parties in negotiating separate case management schedules in Tisdale and Yanas, given the overlapping factual and legal issues.

Please let us know, therefore, whether you will consent to our requesting 30 days' postponement of the initial conference (and all attendant deadlines). Andy, if you do not consent, may we represent to the court that you consent to 15 days' postponement (per your email below suggesting that we could move the conference "back by a couple of weeks")? And Ron, we take your earlier email as consenting to a longer postponement (assuming that Judge Brown will not issue a decision within the next 30 days) — but please let me know if you do not consent to a 30 day postponement.

Thank you, all, for working with us on this. I hope that you all are safe and healthy.

All my best,

Molly

On Wed, Jul 29, 2020 at 12:31 PM A.M. "Andy" Landry III <alandry@grayreed.com> wrote:

Hi, Molly –

We should move forward with Rule 26(f) conferences in Yanas and Tisdale so that we can timely prepare a joint report. Magistrate Edison's orders of July 14, 2020 in both cases were entered two weeks after you filed replies on the motions to remand. Regardless of how you view this timing, the remand issues raised by plaintiffs and the dismissal issues raised by the Tennessee Defendants are separate from the parties' Rule 26(f) obligations to each other and the Court. Please don't lose sight of the purpose of Rule 26(f), which is to cooperatively plan and move the case forward. We think everyone would be well served completing an early discussion about the parties' expectations for the case. Staying that process indefinitely runs counter to that goal and will set us all back. We should follow Magistrate Edison's orders.

We are, of course, very sympathetic to health issues and the COVID situation. Under the circumstances, we suggest first pushing our meet and confer to closer to the August 12 deadline to submit a joint report which is still two weeks away. Given the volume of capable attorneys representing the plaintiffs in Yanas, surely we can get together and complete this task. Because Clint is not in Tisdale, we can confer directly with Larry Tylka if you all would prefer. If the August 19th Zoom conference with Judge Edison is too soon because of Clint's situation, we are also agreeable to moving that back by a couple of weeks.

We hope that you reconsider your position and agree to move forward with us with planning.

Best regards –

Andy

From: Molly Thomas-Jensen <mthomasjensen@everytown.org>
Sent: Tuesday, July 28, 2020 3:30 PM
To: A.M. "Andy" Landry III <alandry@grayreed.com>
Cc: Alla Lefkowitz <alefkowitz@everytown.org>; ron@rodgerslawgroup.com; Krystan Hitchcock <khitchcock@everytown.org>; Clint <clint@mmtriallawyers.com>; Alton Todd <alton@actlaw.com>; legal@tylkalawcenter.com; Darrell Apffel <Darrell@apffellegal.com>; D. Blake Apffel <Blake@apffellegal.com>; Terri French <Terri@apffellegal.com>; Larry Tylka <larry@tylkalawcenter.com>; Tyler Tylka <tyler@tylkalawcenter.com>; Heather <heather@mmtriallawyers.com>; James Vogts <jvogts@smbtrials.com>; Kelly Leonard <kleonard@grayreed.com>; Tyler J. McGuire <tmcguire@grayreed.com>; Anne Armstrong <aarmstrong@grayreed.com>; Andrew Lothson <alothson@smbtrials.com>; Sherry Chandler <sherry@chandlerlawllp.com>
Subject: Re: Yanas and Tisdale

Hi all,

Hope this email finds you all well. Just wanted to check in and see if defendants are amenable to this plan. We would love to get a letter on file tomorrow if possible.

Warm regards,

Molly

On Mon, Jul 27, 2020 at 11:19 AM Molly Thomas-Jensen <mthomasjensen@everytown.org> wrote:

Andy,

Thanks for this. As I just mentioned on the phone, plaintiffs would like to request that the magistrate judge postpone the initial conference, given that our motions to remand are currently pending. In addition, Clint and his wife have come down with Covid. We very much appreciate your consideration.

Because we are waiting on Judge Brown's decision on the motion to remand, we'd propose asking Magistrate Judge Edison to reschedule the initial conference after Judge Brown's decision. Let us know if you are amenable, and we can prepare a joint letter to the court.

Also, given that it seems likely this will come up in the Yarbrough matter, I am copying Sherry Chandler for awareness.

Best,

Molly

On Mon, Jul 27, 2020 at 10:46 AM A.M. "Andy" Landry III <alandry@grayreed.com> wrote:

Counsel –

The attached Orders require us to prepare and file a Joint Discovery/Case Management Plan by 8-12-20. I have attached the court's form for your ready reference. Are you available for a Rule 26(f) conference on Wednesday July 29 at 10:30 (central) ? Please let me know and I will circulate a dial in number.

Thanks for your attention.

Best regards –

Andy

A.M. "Andy" Landry III

Partner

Tel 713.986.7124 | Fax 713.730.5826

Cell 713.203.1605 | alandry@grayreed.com

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<image001.jpg>

<image002.jpg>

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MOLLY THOMAS-JENSEN | SENIOR COUNSEL, AFFIRMATIVE LITIGATION

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8/3/2020

Everytown for Gun Safety Mail - Yanas and Tisdale

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